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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/589,223

08/11/2006

Conny Larsson

1916

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20676

7590

06/06/2008

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EXAMINER

NGUYEN, PHUNG HOANG JOSEPH

ART UNIT

PAPER NUMBER

2614

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/589,223	<b>Applicant(s)</b> LARSSON, CONNY	
	<b>Examiner</b> PHUNG-HOANG J. NGUYEN	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/11/2006</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**2. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by (same inventor) Larsson (W0 98/16071); Hereinafter Larsson'071**

As to claim 1, Larsson'071 teaches, a method of achieving cooperative services in a data system that includes telephone services and data services, wherein the data system includes a first computer system and a second computer system, wherein the computer systems each include respective computers having associated memories (*See fig. 1 and Abstract*), said method comprising the steps of:

connecting the first and the second computer system (*i.e., one or more computers, page 3, line 3*) to a respective communications database (*i.e., one or more database, such as a first database 2 and a second database 3, page 3, lines 4-5*) that includes communications services stored as transaction references (*i.e., calling telephone number or calling subscriber number, page 3,*

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*lines 8-11*), wherein said computer systems execute communications services in accordance with a data program (*page , lines 9-14*).

connecting a respective transaction database to each computer (*Fig. 1, computer 1 coupling to databases 2, 3, and data program storage 5*) , wherein the transaction databases include a pre-determined number of transactions identified by said transaction references, wherein each transaction is in the form of parts of a data program (*page 3, lines 16-19*);

fetching transactions from a transactions database , said transactions together forming a data program for executing said services (*page 3, lines 29-32*), said transactions including instructions relating to said services to be executed by the data system (*page 4, lines 4-6*);

initiating fetching of transactions for execution in the data system in response to a telephone call incoming to the system, wherein the call includes an information part in the form of an identification of a caller and an indication of the type of call, wherein the computer systems have an execution environment such that essentially all execution and instructions from one computer system to another computer system takes place through the agency of said transactions (*page 6, lines 24-28 as Larsson '071 indicated on page 3 line 3 that the computer system includes one or more computers 1 which share the same data program storage 5. Thus it is self-evident and inherent that all involved computers must take place through the same data program storage 5*), and wherein certain transaction references identify transactions which, upon execution, transfer the

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service concerned to a computer system other than the call receiving computer system for execution (*page 4, lines 16-31*); and

transferring the information part together with the transfer of said service (*page 4, lines 20-23*).

As to claims 2-3, Larsson'071 teaches the method including the steps of: identifying caller (*i.e., read the calling number, page 4, line 21*) the type of call, and the service called for, and fetching transaction references from said communications database for executing the service. Furthermore, the method including the step of transferring transaction references for the execution of a given service from one computer to another computer within the data system (*page 4, lines 20-31*).

As to claim 4, Larsson'071 teaches the step of providing for all computer systems to have mutually the same execution environment (*page 6, lines 24-28 as Larsson '071 indicated on page 3 line 3 that the computer system includes one or more computers 1. Thus it is self-evident and inherent that all involved computers must have same execution environment since they all share the same data program storage 5*).

As to claims 5-6, Larsson'071 teaches a method including the step of providing a communications database containing references to transactions stored in the transaction databases. Furthermore, Larsson teaches a method wherein the communications database includes references to transactions (*see table 1 on page 5*) relating to additional services for subsequent execution in

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response to a requested communications service (*i.e.*, *steps of read, collect, fetch, analyze... pages 4, line 25 – page 5, line 6*).

***Claim Rejections - 35 USC § 103***

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**5. Claim 7 is rejected under 35 U.S.C.103 (a) as being unpatentable over (same inventor) Larsson (W0 98/16071; hereinafter Larsson'071) in view of Nitta (US Pub 2003/0009601).**

As to claim 7, Larsson'071 teaches the steps of: fetching from a transactions database transactions (*fig. 1, labels 2, 3 and 5*) corresponding to a service initiated by a call from one of a telephone (*a fixed phone or a mobile, page 3, lines 6-7 from the telephone network 6*) and an external computer via said second computer system (*one of the computers as indicated on page 3, line*

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3); wherein the second computer system fetches from the transactions database of a respective computer system transactions for executing a service defined by the transaction references.

Larsson'071 does not specifically teach distributing from the first computer system transaction references to the second computer system.

Nitta teaches, in fig. 1, *"if the computer 110A tries to execute the program 131B prepared for the computer 110B. Assume that nothing is registered to the program definition table 150 and the software definition table 140 is written as shown in FIG. 2. First, the computer 110A makes a judgment on whether the program 131B has been registered to the program definition table 150. Since not registered, the computer 110A reads in the execution environment definition file 132B, searches the software definition table 140 and finds the computer 110B provided with the architecture ARCH-B, the operating system OS-B and the software SOFT-B1. Then, the execution-requesting unit 112 makes a request to the program execution unit 113 of the computer 110B for execution via the network 160. The program execution unit 113 of the computer 110B executes the program 131B and reports the execution result to the computer 110A. The execution-requesting unit 112 of the computer 110A receives the execution result and passes it to the execution environment-selecting unit 111 (Nitta: par. 0028) for the purpose of presenting a method in a multi-computer environment comprising a plurality of computers in which programs are dependent on the environments of some of the computers (Nitta: par. 0001).*

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Nitta into the teachings of Larsson '071 for the purpose of distinctly demonstrating that all computers share a common data program database or common execution environment and operation environment are capable of referencing and accessing to each others for execution effort.

### ***INQUIRY***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUNG-HOANG J. NGUYEN whose telephone number is (571)270-1949. The examiner can normally be reached on Monday to Thursday, 8:30AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kunz can be reached on 571 272 7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Date: June 3, 2008

/Phung-Hoang J Nguyen/  
Examiner, Art Unit 2614/Curtis Kuntz/  
Supervisory Patent Examiner, Art Unit 2614